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AN ORDINANCE

FOR THE BETTER

REGULATION OF THE FIREMEN

OF THE

City of New York.

APPROVED BY THE MAYOR, DECEMBER 31, 1864.

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N.Y. City - Ordinances

"RESOLVED, That twenty-five hundred copies of the Ordinances for the better Regulation of the Firemen of the City of New York be printed in document form, for the use of the Fire Commissioner."

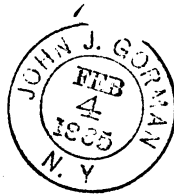
Adopted by the Board of Councilmen, December 24, 1864.

Adopted by the Board of Aldermen, December 31, 1864.

Approved by the Mayor, December 31, 1864.

D. T. VALENTINE,

Clerk C. C.



AN ORDINANCE

FOR THE BETTER REGULATION OF THE FIREMEN OF THE CITY
OF NEW YORK.

*The Mayor, Aldermen, and Commonalty of the City of New
York, in Common Council convened, do ordain as follows :*

Section 1. The Fire Department shall consist of a Chief Engineer and nineteen Assistant Engineers, and such members of fire engine men, hose men, and hook and ladder men, who shall be citizens of the United States, twenty-one years of age and upwards, as now are, or hereafter may be, from time to time appointed in the manner required by law, and who shall be respectively distinguished by the several appellations aforesaid.

Sec. 2. The Chief Engineer of the Fire Department shall be elected every three years by the members of the Fire Department by ballot, and the person receiving the greatest number of votes for the office shall thereupon be entitled to a nomination to the Common Council for appointment; and any person having served three years as Chief Engineer under this ordinance shall not be eligible for the office of Chief Engineer for the next term thereafter.

Sec. 3. The election for the selection of Chief Engineer under this ordinance shall take place on the first Tuesday after the first Monday in February, 1866, and thereafter every succeeding three years.

Sec. 4. The Chief Engineer shall have sole and absolute control and command over all Assistant Engineers and

other persons connected with the Fire Department. It shall be his duty to direct the other engineers to take proper measures to arrange the several fire apparatus in the most advantageous manner, and to cause them to be properly worked for the effectual extinguishment of fires. It shall be his duty to examine twice in every year into the condition and number of fire apparatus and houses for the same, and report the same once a year to the Common Council, together with the names, residences, occupation, and badge register number of all the members of the Fire Department and the respective companies to which they belong; he shall also report, in writing, to the Common Council all accidents by fire that may take place in this city, with the causes thereof, as well as they can be ascertained, and the number of and description of the buildings destroyed or injured, together with the names of the owners or occupants; he shall, whenever any of the fire apparatus, their tools, or implements require to be repaired, have the same done, provided the expense thereof shall not exceed seventy-five dollars; he shall report all violations or disobedience of orders that may come to his knowledge, to the Commissioners of the Fire Department; he shall have such further powers and perform such other duties as provided for in this ordinance.

Sec. 5. The Chief Engineer shall receive for his salary the yearly sum of five thousand dollars.

Sec. 6. There shall be two Assistant Engineers appointed for each of the fire districts in the City of New York, except the Ninth Fire District, for which there shall be three Assistant Engineers; they must reside in the fire district for which they are appointed at the time of said

appointment, and during the time they hold the office of Assistant Engineer; and should any Assistant Engineer remove his residence from the fire district for which he is appointed, his office as an Assistant Engineer is hereby declared to be vacant.

Sec. 7. The nomination for Assistant Engineer shall be made by the firemen by ballot, and the persons receiving the greatest number of votes shall be respectively entitled to a nomination to the Common Council for appointment to such office. Every fireman, whose appointment as a member of the Fire Department shall have been confirmed three months next preceding the nomination at which he may offer to vote, pursuant to this ordinance, who shall then be, and for the said three months shall have been, an acting and actual member of the Fire Department, shall be entitled to one vote upon such nomination.

Sec. 8. The election for the nomination of Assistant Engineers, under this ordinance, shall be held at the different engine, hose, and hook and ladder houses, on the first Tuesday after the first Monday in February, 1865, and every three years thereafter.

Sec. 9. Each company shall vote for the Assistant Engineers for any two fire districts in which they shall perform duty, and when any company does duty in three or more fire districts, they shall designate any two of said districts to the Commissioners of the Fire Department, and they shall always, thereafter, cast their vote for Assistant Engineers for the districts so designated, and none other.

The Firemen in the Ninth Fire District shall vote for the Assistant Engineers for said Ninth Fire District, and none other.

Sec. 10. When two or more persons claim to have been elected to the same office, or when any irregularity exists in any election for Assistant Engineers, the same shall be referred to the Board of Fire Commissioners for settlement, and their decision thereon shall be final.

Sec. 11. In case of the death, resignation, or removal from office of any Assistant Engineer, the Chief Engineer shall, within thirty days thereafter, order an election to take place in the district to which the said Engineer was attached, and the said Chief Engineer shall order an election to take place within thirty days thereafter, and within ten days thereafter certify to the Common Council the result of said election, to the end that they may appoint the person so nominated an Assistant Engineer.

Sec. 12. The Assistant Engineers for the Ninth Fire District shall reside as follows: One of said Assistant Engineers shall reside in the third section of the said Ninth Fire District; one in the fifth section of the said Ninth Fire District, and one in the sixth section of the said Ninth Fire District.

Sec. 13. The Assistant Engineers are subject to and shall obey the Chief Engineer, and do duty in such fire districts as they may be elected for, and any Assistant Engineer violating any of the ordinances of the Common Council, or any law of the State of New York, or who, by his acts, shall

do anything to bring disgrace on the Fire Department, may be reprimanded, suspended or expelled from his office as an Assistant Engineer, and from the Fire Department, on said act being proven before the Fire Commissioners.

Sec. 14. The Chief Engineer shall convene the Board of Engineers within thirty days after their appointment by the Common Council under this ordinance, for the purpose of selecting one of their number as Senior Assistant Engineer, and it shall be their duty to select one of their number as such Senior Assistant Engineer at the said meeting, or as soon thereafter as practicable, and in such manner as they may agree upon, and when a vacancy shall occur in the office of Senior Assistant Engineer it shall be filled within thirty days thereafter.

In case of a vacancy in the office of Chief Engineer the Senior Assistant Engineer shall discharge the duty of Chief Engineer until the vacancy is filled, and perform such other duties as the Board of Engineers may impose.

Sec. 15. The Chief and Assistant Engineers shall respectively wear at fires a leathern cap, painted white, with a gilded front thereto, and a fire engine blazoned thereon, and shall also carry a speaking trumpet.

Sec. 16. The Board of Engineers and Foremen shall have power, and it shall be their duty to establish and provide regulations for holding and conducting the elections authorized to be held under this ordinance, and rules for the qualifications for the voters thereat, when not otherwise provided for.

Sec. 17. The Comptroller is directed to pay no bill of expenses of any election for Chief or Assistant Engineers.

Sec. 18. The firemen shall be divided into companies to attend to the fire engines, hose carriages, and hook and ladders belonging to, or that may hereafter belong to, the Corporation of the city of New York, or to such fire engines, hose carriages and hook and ladders as the Commissioners of the Fire Department may direct, and each of the companies shall and may choose out of their number a foreman, assistant foreman and secretary, in such a manner and at such times as they may think proper, and when two or more persons claim to have been elected to the same office, or where any irregularity exists in the elections for company officers, the same shall be reported to the Commissioners of the Fire Department, and their decision thereon shall be final.

Sec. 19. It shall be the duty of the said firemen, as often as any fire shall break out in the fire district in which their company is ordered to do duty by the Chief Engineer, to repair immediately, upon the alarm thereof, to their respective engines, hose carriages, and hook and ladders, and convey them to or near the place where such fire shall happen, unless otherwise directed by the Chief, or other Engineer, and there, in conformity with the directions given by the Chief or other Engineer, to work and manage the said engines or apparatus and implements, with all their skill and power, and when the fire is extinguished they shall not remove therefrom but by the direction of an engineer, and on such direction they shall return their respective apparatus, well washed and cleaned, to their several places of deposit.

If any fireman shall neglect to attend to any fire as aforesaid, or leave his fire-engine or other apparatus while at any fire, without permission of the officer in command, or shall neglect to do his duty on such occasions, without reasonable excuse, he shall, for every default, forfeit and pay the sum of one dollar, and may, on request of the company to which he belongs, be removed from his station as a fireman.

Sec. 20. It shall be the duty of each and every fire company, in going to or returning from any fire or alarm of fire, or removing their apparatus from their respective places of deposit, to obey the orders of the chief or other engineer.

Sec. 21. And in case any foreman, assistant foreman or any other fireman having charge of any fire company, disobeying or refusing to obey any order or direction given by the chief or other engineer, he may, for such offense, be suspended or expelled from the Fire Department.

Sec. 22. It shall be the duty of all members of the Fire Department to prevent all persons not belonging to the Fire Department from entering any house, or handling any apparatus belonging to the Department ; this section is not intended to exclude exempt firemen in good standing from the before-mentioned privilege.

Sec. 23. It shall be the duty of each and every fireman to prevent boys and disorderly characters from congregating in or about the place of deposit of their various apparatus, and not to allow the said place of deposit to be used

for any other purposes than those directly connected with the performance of their duty as firemen. No person other than members and exempt members of the company or Fire Department in good standing, shall be allowed to sleep in or frequent any engine, hose, or hook and ladder house.

It shall also be the duty of the said firemen to see that good order is preserved in and about the houses occupied by their respective companies, and to prevent any person habitually congregating on the walks in front of the houses of their said apparatus.

Sec. 24. In going to or returning from fires or alarms of fire the drag-rope shall be the proper place for the firemen, except officers in command, and it shall be the duty of said firemen to prevent all boys, and noisy and improper persons from taking hold of the rope; and on no account shall a person, other than a member or exempt member of the Fire Department, known to at least two of the members of the company present, be allowed to manage or have control of the tongue or tiller of any apparatus in going to or returning from fires or alarms of fire, and any person taking hold of the rope of any fire apparatus, who is not an active or exempt member of the company, and who does not wear a fire cap, or display in a proper manner a fireman's badge, shall be immediately put off said rope.

It shall also be the duty of the officers and members of each and every company, when returning with their apparatus from a fire or alarm of fire, to prevent any racing of their company with any other company, and to abstain from any conduct that would be like to cause a breach

of the peace or reflect discredit on the Fire Department. It shall further be their duty to use all endeavors to cultivate good feeling among members of the Fire Department.

Sec. 25. Each and every officer or member in command of a company shall be held responsible for his actions while exercising command over any fire apparatus or company, or for any willful neglect or violation of any of the duties incumbent upon them.

Sec. 26. No fireman, while under suspension for any violation of the laws or ordinances relative to the Fire Department, shall be permitted to wear a fire cap, nor be allowed to vote at any election held by the company, neither shall he be permitted to take part in any of the meetings, or to enter the house occupied by any fire company, and no person suspended or expelled from the Fire Department shall be allowed to take command or exercise any control over any fire apparatus while he remains under such sentence of suspension or expulsion.

Sec. 27. It shall be the duty of each and every company, on an alarm of fire being given for the district or districts in which the said company does duty, to proceed with all due diligence and by the most convenient route to the fire, or to the place from whence the said alarm originated, unless otherwise ordered by an Engineer, avoiding all lying in wait, or any departure from the usual route, for the purpose of racing with any other company.

Sec. 28. Any Assistant Engineer, officer of a company, or member of the Fire Department, who shall violate any of the laws or ordinances relative to the Fire Department,

or who shall knowingly or willfully consent to, or assist in any violation of the same, shall be liable to public reprimand, suspension, or expulsion from the Fire Department, and any company so found guilty of a violation of any of the laws or ordinances of the Fire Department may be publicly reprimanded, suspended, or disbanded, as the Commissioners of the Fire Department may determine.

Sec. 29. If a fire company shall vote for the expulsion of a fireman belonging thereto, the same shall be forthwith reported by the Chief Engineer to the Commissioners of the Fire Department, who shall have power to reverse, modify, or confirm said expulsion.

Sec. 30. All complaints against firemen, or fire companies, for misconduct in the performance of their duties, or for the violation of any of the laws or ordinances of the Fire Department, shall be forthwith made to the Commissioners of the Fire Department.

Sec. 31. In case of any breach of the peace or other violations of good order on the part of any fireman or fire company, it shall be the duty of the Chief or Assistant Engineer knowing of such violation, to enter a complaint to the Commissioners of the Fire Department against the fireman or company so offending, immediately; and any engineer neglecting or refusing to enter such complaint shall be publicly reprimanded, suspended, or expelled from the Fire Department; and it shall also be the duty of the foreman, assistant foreman, or person in command of any fire company to enter a complaint to the Commissioners of the Fire Department immediately of any breach of the peace, or violation of any law or ordinance of the Fire De-

partment, between their company and any other company, or between their members, or between the members of their company and the members of other companies; and any foreman, assistant foreman, or member in command neglecting or refusing to enter such complaint shall be suspended or expelled from the Fire Department.

Sec. 32. The firemen shall, when on duty, wear the leathern cap in the form heretofore used, and the said cap shall be painted and distinguished in the following manner, viz. :

The cap of the foreman of each engine company shall be painted black with a white frontispiece, and the word "foreman," and the initials of the name of the foreman, and the number of the company to which he belongs placed thereon in black. The caps of engine men shall be painted black, with the initials of the name of the fireman, and the number of the company to which he belongs placed in front thereof, in white.

The foremen of the hook and ladder companies shall wear a cap painted black, with a white frontispiece, with the word "foreman," and the initials of his name, and the number of the company to which he belongs, and a hook and ladder placed thereon in black; and each member of the hook and ladder companies shall wear a cap painted black, with the initials of his name and the number of the company to which he belongs, with a hook and ladder placed in front thereof, in white.

And each foreman of a hose company shall wear a cap painted black, with a white frontispiece, and the words "foreman" and "hose," and the initials of his name, and

the number of the company to which he belongs, placed thereon in black ; and each member of hose companies shall wear a cap painted black, with the initials of his name and the number of the company to which he belongs, also the word " hose" in front thereof, in white ; and the assistant foreman of each of the respective companies shall wear a cap painted in the same manner as that of the foreman of the company, with the word " assistant" in lieu of the word " foreman" ; and it shall be the duty of the Chief and Assistant Engineers to report to the Commissioners of the Fire Department the name of every person who shall refuse or neglect to comply with the foregoing requisitions, which said person shall thereupon be suspended or expelled from the Fire Department.

Sec. 33. No fire apparatus shall, in going to or returning from any fire, or alarm of fire, or at any other time, be run, driven, wheeled or placed upon the sidewalk, except by special orders of one of the engineers, under the penalty of the expulsion or suspension of the foreman and assistant foreman, or person in command.

Sec. 34. No fire apparatus, during any fire or alarm of fire, or at any other time, under any pretense whatever, shall be taken or removed out of its house, unless the foreman or assistant foreman, or at least two of the members of the company to which the same shall belong, shall be present and consent thereto, under the penalty of fifty dollars for every such offense, to be forfeited and paid by and recovered from any and every person aiding and assisting in, or consenting to the violation of any of the provisions

of this section, and said fines to be paid to the treasurer of the New York Fire Department Fund, for the use and benefit of said fund, and it shall be the duty of the several engineers, and the foreman and assistant foreman of every fire company, to report all violations of this section to the treasurer of the Fire Department Fund.

Sec. 35. No apparatus shall be lent for hire, or lent in any case, without permission from the Chief or Acting Chief Engineer, and any fireman violating any of the provisions of this section shall be expelled, and any company so offending shall be disbanded ; but no apparatus shall be lent to go out of the city.

Sec. 36. No fireman or fire company shall remove their apparatus from its place of deposit, except in case of fire or alarm of fire, except by permission of the Chief Engineer, and on no account shall any fireman or fire company take the said apparatus without the limits of the city of New York in case of fire without said limits, unless by special order of the Chief or an Assistant Engineer, and any fireman found guilty of any violation of this section may be publicly reprimanded, suspended or expelled, and any company so found guilty may be disbanded.

Sec. 37. Any person who may in future be elected to fill a vacancy in any fire company, shall present to the Chief Engineer, within thirty days thereafter, a certificate of such election, signed by the foreman and secretary of the company in which he has been elected, stating his name, residence, and business ; and said candidate, before the Chief Engineer presents his name to the Commissioners of the Fire Department, shall make affidavit that he is a citizen of the United States, is twenty-one years of

age and upward, he is physically able, and that it is his intention to perform active and actual duty as a fireman with the company in which his name is enrolled, and that he will promote subordination in the Fire Department and the company to which he belongs, and it shall be the duty of the Chief Engineer to certify on every return whether a vacancy exists in the company.

Sec. 38. Applicants for appointment as members of the Fire Department must be of good moral character, and actually engaged in some lawful business, and must be recommended to the Fire Commissioners as honest, sober, and industrious men, by their employers and three citizens of known respectability, and the Commissioners may confirm or reject any or all such applications.

Sec. 39. It shall be the duty of the foreman and secretary of every engine, hose, and hook and ladder company to report to the Board of Fire Commissioners, on the second Tuesday in April and October in each year, a list of members, with the number of fires and alarms of fire which have occurred during the preceding six months in the districts in which they perform duty, and the amount of duty performed by each member, said report to be in the form of a complaint to the said Fire Commissioners against every member who has not been present at one-half of all the fires and alarms of fire which have occurred in the preceding six months, and the said Commissioners shall return as resigned all such firemen complained of, unless a proper excuse be given, which report must be sworn to before the Board of Fire Commissioners, and the foreman or secretary of each and every company refusing or neglecting to comply with

this section shall be expelled from the Fire Department. It shall also be the duty of the Chief Engineer and Secretary of the Board of Engineers, to make a return of the duty performed by each of the Assistant Engineers in the same manner as provided for above, and any Assistant Engineer who shall not be present at one-half of all the fires and alarms of fire occurring in the districts in which said Assistant Engineer does duty, shall be returned as resigned by the Commissioners of the Fire Department, unless a proper excuse be given therefor, and each Assistant Engineer shall report in writing to the Chief Engineer, semi-monthly, all the fires and alarms of fire at which he has been present, and the said engineer shall make affidavit that said semi-monthly report is correct.

Sec. 40. Each fire company shall be allowed for expenses for gas the annual sum of seventy-five dollars, to be paid to the foremen of companies on the certificate of the Chief Engineer that they are the proper persons to receive the same.

Sec. 41. The Chief Engineer, under the direction of the Fire Commissioners, is hereby authorized and empowered to take any fire apparatus, with all the property belonging to the Corporation of the City of New York, in possession of any fire company, to the public yard, or give the same to any other company.

Sec. 42. The firemen attached to any fire company, whose machine and implements shall have been ordered to the public yard, for want of a sufficient number of men to manage the same, or because the company shall have ceased to be useful, shall, if application be made within thirty

days from the date of disbandment, be placed in any company they select, if agreeable to said company, by the Commissioners of the Fire Department, without fee; and if any fire company shall become reduced below one-third of the number of members allowed for it by law, the said company may be disbanded.

Sec. 43. The Chief Engineer, the President of the Fire Department, the President of the Board of Trustees, the President of the Board of Fire Commissioners, the President of the Board of Commissioners of Appeal, New York Fire Department, by virtue of their several offices, are hereby constituted a Commission for the purpose of inquiring into all applications from firemen or fire companies to the Common Council, or any branch of the City Government, for the change of location of apparatus that now is or may hereafter be in existence, or for locations for new companies, or for new houses, or alterations or repairs to houses, or for new apparatus, or for alterations or repairs to apparatus, that will cost seventy-five dollars or more.

Sec. 44. Said Commissioners shall be known as the Commissioners of Construction and Repairs of the New York Fire Department.

The said Commissioners shall meet at Firemen's Hall at least twice in each month; they shall appoint from their number a president and secretary, and the Street Commissioner shall furnish said Commission with stationery and other supplies necessary for the performance of the duty of said Commission.

Sec. 45. Any fire company applying for any alteration

or repairs to their respective apparatus or houses, or for new houses or apparatus, or to change or have a new location, or anything from the corporate authorities of the city of New York, that will cost seventy-five dollars or more, must and shall present such application to the Commissioners of Construction and Repairs of the New York Fire Department for their consideration, and, if they approve said application, the company or firemen may then present the said application to the Common Council, or other proper place; but if the said Commissioners refuse to approve any applications as aforesaid, the company or firemen shall not present such application to the Common Council or other proper place.

Sec. 46. It shall be deemed a misdemeanor for any fireman or fire company to apply to the Common Council, or any branch of the city Government, for any alterations, repairs, or other matters before enumerated, unless approved by the said Commissioners of Construction and Repairs, and it shall be the duty of the said Commissioners of Construction and Repairs to enter a complaint to the Commissioners of the Fire Department against any fireman or fire company making such application, or allowing such application to be made in their behalf, and any fireman so proven guilty shall be suspended or expelled from the Fire Department, and any company so proven guilty may be disbanded.

Sec. 47. In addition to the other duties of the Commissioners of Construction and Repairs, it shall be the duty of the Secretary of the said Board to enter a complaint to the Board of Fire Commissioners against any company or com-

panies which, upon due examination, a majority of said Board of Commissioners of Construction and Repairs may consider have ceased to be useful to the city of New York, or the Fire Department thereof, and the said Secretary shall prosecute said complaints and furnish evidence that the said Board of Commissioners of Construction and Repairs have so decided, and it shall be the duty of the Commissioners of the Fire Department to disband such company or companies

Sec. 48. It shall be the duty of the foreman and secretary of the several fire companies to make an annual return of the members of their respective companies to the Chief Engineer, as heretofore; such returns shall be made under the directions of the foreman and secretary that the persons therein named as members of their respective companies are active and actual members thereof.

Sec. 49. The Chief Engineer shall not receive the returns of any persons who may hereafter be organized as a fire company, until the said company is provided with a location and apparatus by the Common Council, and to date the said returns to the Fire Commissioners for confirmation from the time the said company is fully ready to perform active fire duty.

Sec. 50. It shall be the duty of the Clerk of the Common Council to furnish the discharge certificate required to be furnished to the fireman without fee or reward, on the presentation of a certificate from the Board of Fire Commissioners, that the applicant has served the time prescribed by law and it shall be the duty of the said Com-

missioners to furnish said certificate to all parties having so served, who shall apply for the same.

Sec. 51. The Clerk of the Common Council shall enter the names of all firemen appointed as such by the Commissioners of the Fire Department on the register kept by him for that purpose; also, all resignations, suspensions, expulsions, transfers, and disbandments, as heretofore, and he shall date all appointments from the time of confirmation by the said Fire Commissioners, and it shall be the duty of the said Fire Commissioners to certify the date of appointment on each return sent to said Clerk of Common Council.

Sec. 52. It shall be the duty of the police to enter a complaint to the Commissioners of the Fire Department against any fireman or fire company who shall violate any law or ordinance governing the Fire Department, or who shall break the public peace.

Nothing in this section shall be so construed as to prevent the police from making arrests, and having offenders against the laws convicted by any magistrate.

Sec. 53. It shall be the duty of the policemen on duty, whenever an alarm of fire shall be given during the night, to give notice thereof immediately to the several firemen residing within their respective beats, at their place of residence, who, in accordance with the fire regulations, ought to turn out on occasion of such alarm.

Sec. 54. Each fireman shall deliver to the captain of police for the precinct in which he shall reside, a statement of his name and place of residence, and the captains of

police shall furnish the several policemen under their charge with the names and residences of firemen residing within their respective beats, and it shall be the duty of said policemen to notify all such firemen in accordance with the provisions of this ordinance.

Sec. 55. It shall be the duty of the police, when a fire occurs, to form a line at least two hundred and fifty feet distant from the said fire, on each side thereof, and they shall not, under any circumstances, permit any person to pass said line, unless said person shall wear the uniform, or badge of the Fire Department properly displayed, the uniform of the insurance patrol, or the badge of the building inspectors, or be a member of the Common Council, a member of the Police Department, an owner of property, or resident within the prescribed lines.

Sec. 56. It shall be the duty of the police to promptly remove from within the said lines all persons not designated in the last preceding section ; and all persons refusing to retire, at the request of a policeman, from within the said lines, shall be deemed guilty of misdemeanor, and forthwith arrested.

Sec. 57. The Mayor of the city of New York shall appoint three persons to act as bell-ringers for each of the different alarm bells in the said city ; such persons shall be selected from among the exempt firemen, or from such firemen as shall have been disabled by injuries received in the performance of their duty as firemen.

Sec. 58. The bell-ringers so appointed shall receive as remuneration for their services the sum of one thousand

dollars per annum, and shall be subject to removal by the Mayor for misdemeanor or negligence of duty.

Sec. 59. The Chief and Assistant Engineers of the Fire Department shall make such rules and regulations for the government of the bell-ringers as they deem advisable for the best interests of the people and the Fire Department, and they shall have such rules and regulations printed in card form, and placed in all the bell-towers, and in all the engine, hose, and hook and ladder houses in the city, and it is the duty of the said bell-ringers to obey to the letter said rules and regulations, and any order given or sent to them by said Chief and Assistant Engineers ; and in case any bell-ringer is proven guilty of neglecting or refusing to do his duty, or violating any of the rules or regulations governing bell-ringers, or refusing or neglecting to obey any order given or sent by the Chief or Assistant Engineers, he shall be fined so many days' pay, said fines to be deducted from the pay of said bell-ringer by the Comptroller of the city of New York, and paid by him to the Treasurer of the Fire Department, for the use and benefit of the Widows' and Orphans' Fund of said Fire Department, or be removed from his station as bell-ringer.

Sec. 60. All complaints against bell-ringers shall be made to the Commissioners of the Fire Department; the said Commissioners shall hear, try, and determine the same, and if the accused shall be found guilty, the said Commissioners shall immediately report a copy of the complaint and the evidence in full, and the grade of punishment to the Mayor ; if said punishment is removal from their office as bell ringers, the Mayor shall appoint the successor as soon thereafter as practicable, and if it is a fine, the said

Commissioners shall immediately notify the Mayor, Comptroller, and Treasurer of the Fire Department, to the end that the amount of said fine so imposed, shall be paid to the Widows' and Orphans' Fund of the New York Fire Department, and it is the duty of the Comptroller to deduct the amount of said fine or fines from the pay of said bell-ringer, and pay the sum to the Treasurer of the Fire Department immediately.

Sec. 61. The appointment of engineers to steam fire engines shall be made by the Board of Engineers of the Fire Department, on the recommendation of a majority of the members of the company requiring such engineer. Any person hereafter applying to be appointed an engineer of a steam fire engine must present to the Board of Engineers of the Fire Department a certificate from the Board of Examiners of Engineers for stationary engines, certifying that they consider him a fit and proper person to have charge of and run a steam fire engine, and he shall furnish said Board of Assistant Engineers of the Fire Department an additional certificate, signed by three practical machinists doing business in the City of New York or vicinity, certifying that the said applicant was regularly educated to the business of engineer and machinist; he must also be a member in good standing of the company requiring his services as such engineer, and when he ceases to be a member of the said company, by resignation, or expulsion, or otherwise, his office as engineer is hereby declared to be vacant.

Sec. 62. The Board of Engineers of the New York Fire Department shall make such rules and regulations for the government of the Engineers of steam fire engines as may

be necessary for the proper working of said steam fire engines.

Sec. 63. In case of neglect of duty, or incompetency or violation of the laws or ordinances governing the Fire Department, or the rules and regulations governing the Engineers of steam fire engines, the Fire Commissioners shall hear, try and determine the same and impose a fine of any number of days' pay, or suspend or expel any engineer so found guilty, and any and all said fines shall be paid to the Treasurer of the New York Fire Department for the use and benefit of its Widows' and Orphans' Fund, and it shall be the duty of the Comptroller to deduct said fine or fines from the pay of such engineer, and pay the same to the Treasurer of the Fire Department as aforesaid, and the Commissioners of the New York Fire Department shall certify to the Comptroller that such penalty was so inflicted on such engineer of steam fire engine.

Sec. 64. All fire engine companies, in going to or returning from fires or alarms of fire, shall have with them and attached to their engine their hose tender; they shall, in addition to the suction hose, carry four hundred feet of leading hose, and steam fire engines shall carry a quantity of fuel sufficient to keep a good working head of steam at least one hour.

Sec. 65. Each hook and ladder company shall carry such number and kinds of hooks, ladders, crowbars, pitchforks, axes, ropes, &c., as the Chief Engineer shall direct, such directions to be given in writing, and the Chief Engineer shall carefully preserve a copy thereof.

Sec. 66. The hose companies shall carry to every fire or

alarm of fire all the hose they can possibly get on their hose-reels, and any and all hose carriages built after the passage of this ordinance shall be built to carry, and the company using them shall carry on said carriage, eight hundred feet of hose, and any fireman violating any part of this ordinance in relation to the quantity and the kinds of hose, hooks, and ladders, or other implements and tools, shall be suspended or expelled, and any company so found guilty may be publicly reprimanded, suspended, or disbanded.

It is the duty of the Chief and Assistant Engineers to see that all fire companies comply with this ordinance, and to report all delinquents to the Board of Fire Commissioners.

Sec. 67. The Commissioners of the New York Fire Department shall nominate, and the Common Council shall appoint a suitable person to be messenger to said Board; said messenger shall receive the annual salary of one thousand dollars.

Sec. 68. The said messenger shall have charge of the meeting-room of the said Commissioners, and keep the same in order; he shall have charge of the door at all meetings, shall deliver all notices and documents as may be required by said Commissioners, and perform such other duties as they may deem necessary. Said messenger may be removed at any time by a majority of said Commissioners for non-performance or neglect of any of his duties.

Sec. 69. All members of the New York Fire Department, and all such exempt members as are authorized by the Commissioners of the Fire Department, shall, here-

after, when on duty as firemen, or at fires, wear the leathern cap, as heretofore used, or a badge as hereinafter provided, which said badge shall be worn in a plain conspicuous manner on the breast, and shall be worn and visible during the whole time that such member, or exempt member, shall remain at the fire, and any fireman, neglecting or refusing to wear his badge as above specified, shall be subject to suspension or expulsion from the Department, and any exempt fireman so refusing or neglecting shall be subject to a fine of not less than twenty-five, nor over two hundred and fifty dollars and imprisonment not less than ten days, and all fines so collected shall be paid over to the Treasurer of the Fire Department Fund.

Sec. 70. The badge mentioned in the preceding section shall be made of Prince's metal, bearing the letters N. Y. F. D., and each badge shall bear a distinct number in raised figures thereon, of white metal, the same to represent the number of each company, and also a register number, in small figures, stamped thereon, and the badge to be worn by exempt firemen, as provided for in section sixty-nine of this ordinance, shall be composed of white metal, with the figures thereon of Prince's metal, but in all other respects to conform to the badge herein described for the use of the active members of the Department. Said badge shall be struck from dies, which shall be exclusively the property of the Corporation of the City of New York, and shall be placed in the custody of the Clerk of the Common Council, and all of such badges shall be numbered as the Commissioners of the New York Fire Department may direct, and the Street Commissioner is hereby directed to furnish such badges as may from time to time

be required, on the requisition of the President of the Board of Fire Commissioners.

Sec. 71. The said badges shall be deposited with the Commissioners of the New York Fire Department, who shall have sole charge of the distribution of the same, and it shall be the duty of the said Commissioners to keep a register of the names of all persons who now are or who may hereafter become members of the New York Fire Department, and of the number of the company to which said persons are attached, and also of the names of such exempt firemen as may, in writing, be permitted by the said Commissioners to wear the badges aforesaid, and of the number of the badges delivered to each of said firemen or exempt firemen.

Sec. 72. It shall be the duty of the Commissioners of the New York Fire Department, to deliver to each fireman one of the badges aforesaid, and the said Commissioners shall also deliver one of the aforesaid badges to each of such exempt firemen, as may, by virtue of section sixteen of an act of the Legislature of the State of New York, entitled "An Act for the better regulation of the firemen of the city of New York," passed March 29, 1855, be permitted by the said Commissioners to wear the same.

Sec. 73. The badges herein mentioned shall be the exclusive property of the city of New York ; and, when any member shall resign, or be suspended, or expelled therefrom, it shall be the duty of the foreman and secretary of the company to which such member was attached to make a return of such suspension, expulsion, or resig-

nation forthwith to the Chief Engineer, together with the badge formerly worn by such member, and the Chief Engineer shall report weekly to the Commissioners aforesaid, the names of such members of the Fire Department as shall have resigned or been suspended or expelled therefrom since his last report, and shall, with said report, return to said Commissioners the badges worn by such members.

Sec. 74. If the foreman and secretary of any company, or either of them, shall fail to comply with the provisions of the preceding section, in relation to the return of badges, no return of members elected by such company shall be received therefrom, unless good and satisfactory cause shall be shown to the Commissioners why such badges are not returned; and should any member of the Fire Department lose his badge, it shall be his duty to report said loss within two weeks, to the said Commissioners, and it shall be their duty to inquire into the circumstances of the case, and unless they are satisfied that such loss was without fault on the part of said member, they shall have power to suspend or expel said member from the Department, in their discretion; but, should the loss be satisfactorily accounted for to the said Commissioners, then they shall grant a new badge to said member, who shall pay one dollar upon receiving the same, as a penalty for said loss, (which money shall be paid to the Treasurer of the Fire Department Fund, they taking his receipt for the same,) and any member of the Department not complying with the above provision shall be expelled.

Sec. 75. Each exempt fireman receiving a badge shall have the permission to wear the same renewed some time

during the month of May in each year, otherwise such permission shall be deemed revoked, and the said Commissioners may at any time revoke any permission so granted by them; but in case such permission is not renewed, or is revoked, it shall be the duty of such exempt fireman to restore the badge previously worn by him to the said Commissioners.

Sec. 76. Any member of the New York Fire Department or exempt fireman, who shall loan his badge to any person, shall be liable to the penalties as set forth in section sixty-nine of this ordinance, and if any badge shall become broken or the figures be displaced while in the possession of such member or exempt fireman, he shall return the same forthwith to the said Commissioners, and in default of the same, such member may be expelled or suspended, and such exempt fireman shall have the permission to wear the same revoked.

Sec. 77. Any member of the New York Fire Department, or exempt fireman, who shall violate any of the ordinances of the Common Council in relation to firemen's badges, shall be subject to a fine of not less than twenty-five nor over two hundred and fifty dollars, and to imprisonment of ten days, and all fines so collected shall be paid to the Treasurer of the New York Fire Department Fund, for the use and benefit of said fund.

Sec. 78. The City of New York shall be divided into nine fire districts. The First Fire District shall comprise all that part of the city bounded and containing as follows: Beginning at the foot of Twenty-third street, East River, running thence northerly to the foot of Seventy-first street,

on the East River ; thence westerly and along Seventy-first street to the Sixth avenue ; thence southerly along Sixth avenue to Twenty-third street ; thence easterly along Twenty-third street to the place of beginning. The Second Fire District shall comprise all that part of the city bounded and containing as follows : Beginning at the foot of Twenty-third street, on the North River, running thence northerly to the foot of Seventy-first street on the North River ; thence easterly and along Seventy-first street to the Sixth avenue ; thence southerly in a straight line to the corner of Twenty-third street and Sixth avenue ; thence westerly and along Twenty-third street to the place of beginning. The Third Fire District shall comprise all that part of the city bounded and containing as follows : Beginning at the foot of Beach street, on the North River, and extending easterly along Beach and Walker streets, to the corner of Church street ; thence northerly in a straight line to the corner of Eighth avenue and Twenty-third street ; thence westerly along Twenty-third street to the North River ; thence southerly along the North River to the place of beginning. The Fourth Fire District shall comprise all that part of the city bounded and containing as follows : Beginning at the corner of Church and Walker streets, and running thence northerly in a straight line to the corner of Eighth avenue and Twenty-third street, and thence easterly along Twenty-third street to the Fourth avenue ; thence southerly along Fourth avenue and Broadway to Walker street ; thence westerly to the place of beginning. The Fifth Fire District shall comprise all that part of the city bounded and containing as follows : Beginning at the corner of Mott and Canal streets ; thence northerly in a straight line to the corner of avenue C and Fourteenth

street ; thence easterly along Fourteenth street to the East River ; thence northerly along the East River to the foot of Twenty-third street ; thence westerly along Twenty-third street to the Fourth avenue ; thence southerly along Fourth avenue and Broadway to Walker street ; thence easterly along Walker and Canal streets to the place of beginning. The Sixth Fire District shall comprise all that part of the city bounded and containing as follows : Beginning at the corner of Mott and Canal streets ; running thence northerly in a straight line to the corner of avenue C and Fourteenth street ; thence easterly along Fourteenth street to the East River ; thence southerly along the East River to the foot of Market street ; thence westerly along Market and Forsyth streets and Canal street to the place of beginning. The Seventh Fire District shall comprise all that part of the city bounded and containing as follows : Beginning at the corner of Broadway and Walker street, running thence southerly along Broadway to the New York Bay ; thence northerly along the East River to the foot of Market street ; thence westerly along Market, Forsyth, Canal, and Walker streets to the place of beginning. The Eighth Fire District shall comprise all that part of the city bounded and containing as follows ; Beginning at the corner of Broadway and Walker streets, thence southerly along Broadway to the New York Bay ; thence northerly along the North River to the foot of Beach street ; thence easterly along Beach and Walker streets to the place of beginning. The Ninth Fire District shall comprise all that part of the city lying north of Seventy-first street, and shall be subdivided into five sections, to be known and distinguished as the Third, Fourth, Fifth, Sixth, and Seventh sections of the

said Ninth Fire District, to be bounded as follows: The Third Section of the Ninth Fire District shall comprise all that part of the said Ninth Fire District bounded and containing as follows: Beginning at the corner of One Hundred and Tenth street and Sixth avenue, and running easterly along One Hundred and Tenth street to the East River; thence southerly along the East River; thence to Seventy-first street; thence westerly along Seventy-first street in a straight line to Sixth avenue; thence northerly in a straight line to the place of beginning. The Fourth Section of the Ninth Fire District shall comprise all that part of the Ninth Fire District bounded and containing as follows: Beginning at the corner of One Hundred and Tenth street and Sixth avenue; running thence westerly along One Hundred and Tenth street to the North River; thence southerly along the North River to Seventy-first street; thence easterly along Seventy-first street to Sixth avenue; thence northerly in a straight line to the place of beginning. The Fifth Section of the Ninth Fire District shall comprise all that part of the Ninth Fire District bounded and containing as follows: Beginning at the corner of One Hundred and Tenth street and Sixth avenue, and running thence easterly along One Hundred and Tenth street to the East River; thence northerly along the East River to the Harlem River; thence westerly along the Harlem River to Sixth avenue; thence southerly along Sixth avenue to the place of beginning. The Sixth Section of the Ninth Fire District shall comprise all that part of the said Ninth Fire District bounded and containing as follows: Beginning at the corner of One Hundred and Tenth street and Sixth avenue, and running thence

westerly along One Hundred and Tenth street to the North River ; thence northerly along the North River to One Hundred and Forty-first street ; thence easterly along One Hundred and Forty-first street to Sixth avenue ; thence southerly along Sixth avenue to the place of beginning. The Seventh Section of the Ninth Fire District shall comprise all that part of the Ninth Fire District lying North of One Hundred and Forty-first street.

Sec. 79. In case of fire in the First District the signal shall be one stroke of the bell.

In the Second District two strokes.

In the Third District three strokes.

In the Fourth District four strokes.

In the Fifth District five strokes.

In the Sixth District six strokes.

In the Seventh District seven strokes.

In the Eighth District eight strokes.

In the third section of the Ninth District three strokes.

In the fourth section of the Ninth District four strokes.

In the fifth section of the Ninth District five strokes.

In the sixth section of the Ninth District six strokes.

In the seventh section of the Ninth District seven strokes.

Sec. 80. The fire-alarm bells located north of Seventy-first street shall not be rung for fires occurring south of Seventy-first street, the fire-alarm bells located south of

Seventy-first street shall not be rung for fires occurring north of Seventy-first street, unless by order of the Chief or Assistant Engineer.

Sec. 81. All fire companies shall do duty in such fire districts as the Chief Engineer may designate, but no company shall be compelled to do duty in any more than three districts, except as hereafter mentioned; nor shall any company be allowed to take their apparatus in any other districts than those designated by the Chief Engineer, except by his permission or direction, or when ordered to do so by an Assistant Engineer. No Assistant Engineer shall order a company out of the districts designated by the Chief Engineer, except at a time when they may need such company or apparatus at a fire then actually burning.

Sec. 82. When a fire is burning in any fire district, and the Engineer in command at said fire may require the services of the firemen of another district, he may order the bells to be rung for such district as he may think proper, and the firemen of said district shall proceed with all due diligence to the fire as aforesaid.

Sec. 83. The signal for a general alarm of fire shall be the continual ringing of all the fire-alarm bells, except the Marion street bell, which shall ring for the district in which the fire is raging, and, on such an alarm being given, it shall be the duty of all the firemen in the city of New York to immediately repair with their apparatus and implements to the place where the fire is raging.

Sec. 84. Any engineer, officer, or member of any fire company violating any of the provisions of sections 81,

82, 83, 84, may be reprimanded, suspended, or expelled, and any fire company violating any of the sections as aforesaid may be disbanded.

Sec. 85. If any of the fire companies shall embellish their apparatus by painting, silver or other plating, polishing, or any other embellishment, the Chief Engineer or other authorities of the city of New York shall not have replaced at the expense of the said city any such embellishment on any fire apparatus which may need re-building, alteration, or repairs, but shall only have such apparatus put in good working order without such embellishments, and when any embellishment is placed on any fire apparatus by any person or persons, or fire company, so that the same shall become a fixture to said apparatus, the said person or persons, or fire company, shall not displace or disfigure said embellishment, and the said embellishment shall belong to the Corporation of the city of New York.

Sec. 86. When any apparatus is placed in possession of any fire company, they shall not in any way disfigure the same, on the penalty of suspension or expulsion of the fireman so found guilty, and if the guilty party is not found, the company may be disbanded.

Sec. 87. Every fire company shall do duty with such apparatus as may be furnished them by the Chief Engineer or Common Council of the city of New York, and none other, and all apparatus in use by any fire company in the city of New York, shall be under the immediate control of the Chief Engineer.

Sec. 88. No person or persons shall store any fireworks

of any kind or description other than Chinese firecrackers within the fire limits of the city of New York, except as hereafter provided.

Sec. 89. Fireworks, excepting colored pot and lance wheels, and other works of brilliant-colored fires, not exceeding in value one thousand dollars, may be kept for retailing within the fire limits from the tenth day of June to the tenth day of July in each year, and no longer, on a written permission of the Mayor.

Sec. 90. If any fireworks are kept in violation of the provisions of this chapter, the same may be seized, or taken by any police officer, upon the order of the Mayor or Captain of Police, or any of the Building Inspectors, and the same shall be kept by such Mayor, Captain of Police, or Building Inspectors, upon whose order the same were taken; at some suitable place beyond the fire limits, and sold at public auction, within one week after such taking; three days' notice of the time and place of such sale shall be given to the person or persons from whose possession the same were taken, and the proceeds, after deducting expenses of conveyance, storage, and sale, shall, within one week after the sale, be paid over by the person ordering the seizure to the Treasurer of the Fire Department Fund, for the use and benefit of said fund.

Sec. 91. It shall be the duty of the Building Inspectors, twice in every year, viz.: in the months of June and December, and as much oftener as they may think proper, to examine the dwelling-houses and other buildings in their respective inspection districts, for the purpose of ascer-

taining all violations of any Act in force for the more effectual prevention of fires in New York, and also to examine the fireplaces, hearths, chimneys, stoves and the pipes thereto, ovens, boilers, kettles, and all chemical apparatus which, in their opinion, may be dangerous in causing or promoting fires, and also the places where ashes may be deposited, and upon finding any of them defective or dangerous, they or either of them shall direct the owner or occupant, either by a printed or written notice, to alter, remove, or amend the same in such manner, and within such reasonable time as they or either of them may deem necessary, and in case of neglect or refusal to do so, the party offending shall forfeit and pay twenty-five dollars, and for every day after the time allotted as aforesaid to alter, remove or amend the same in conformity with the directions aforesaid, the party so offending shall forfeit and pay the further sum of five dollars, and all the expenses of any removal, alteration or amendment as aforesaid shall be paid in the first instance by the occupant, but shall be chargeable against the owner of such dwelling-house or other building, and shall be deducted from the rent of the same, unless such expense be rendered necessary by the act or default of such occupant, or unless there be a special agreement to the contrary between the parties; and it shall moreover be the duty of the Building Inspectors, or either of them, at such times as aforesaid, to enter into and examine all buildings, livery or other stables, hayboats, or vessels and places where any gunpowder, hemp, flax, tow, hay, rushes, firewood, boards, shingles or shavings, or other combustible materials may be lodged, and give such directions in writing in the premises as may be deemed necessary by

them or him relative to the removal thereof; and in case of neglect or refusal on the part of the possessor of such combustible materials, or any of them, to remove or secure the same within the time and manner directed by the said Building Inspectors, or either of them, the party offending shall forfeit and pay twenty-five dollars, and the further sum of five dollars for every day's neglect to remove or secure the same after being so notified.

Sec. 92. If any chimney, stove-pipe or flue within this city shall take fire, the occupant of the house to which such chimney, stove-pipe or flue appertains shall forfeit and pay five dollars.

Sec. 93. All carpenters or others making or using shavings shall, respectively, at the close of each day's business, cause the same to be securely stowed in some safe place remote from danger by means of fire, under the penalty of five dollars for each omission so to do.

Sec. 94. No person shall kindle any fire nor furnish the material for any fire, nor in any way authorize or allow any fire to be made in any street, road, or lane, or on any pier or bulkhead in this city, except for the purpose of boiling tar, which fire shall not be more than six feet from the bulkhead or end of the pier, under the penalty of ten dollars for every such offense.

Sec. 95. No person shall have, put or keep any hay or straw uncovered, in any stack or pile, or in any other way exposed, within one hundred yards of any building to the southward of a line drawn east and west from the East to the Hudson Rivers one hundred feet north of the north-

erly lines of Fifty-second street, or shall have, put or keep to the southward of said line any hay, straw, hemp, flax, shavings, or rushes, in any building not built of stone or brick and covered with tile or slate, or other fire proof materials, which is or shall be within ten feet of any dwelling-house or chimney whatsoever, under the penalty of twenty-five dollars for every such offense, and the further penalty of ten dollars for every twenty-four hours the same shall remain after a printed or written notice has been given to the owner or person having charge thereof by any building inspector to remove the same.

Sec. 96. No owner or occupant of any stable within this city, or any person in the employment of such owner or occupant, shall use therein any lighted candle or lamp, except the same shall be securely kept within the lantern, under the penalty of ten dollars for every such offense.

Sec. 97. All the fines and penalties and forfeitures imposed on the members of the Fire Department for not attending to fires, shall, when received, be paid to the treasurer of their respective companies in which the delinquencies may happen, for the use and benefit of said company, and all other fines and penalties and forfeitures imposed by the ordinance in relation to the Fire Department, shall, when recovered, be paid to the Treasurer of the Fire Department of the city of New York for the use and benefit of its Widows' and Orphans' Fund.

Sec. 98. The owner or occupant of each and every store or other building in the city of New York, in which there is a hoistway, shall cause the said hoistway, on each story of said store or other building, to be forthwith inclosed by

a good and sufficient railing around the opening thereof, and provide for the inclosing of such opening by a trap-door, and each owner or occupant of any such building or store shall cause said railing to be securely fastened up, and said trap-door to be closed on the completion of the day's business of each day in such store or building, and for every violation of the provisions of this section, or any of them, the owner or owners, occupant or occupants of any such store or building shall be liable to the penalty of fifty dollars for each and every offense.

Sec. 99. The penalties imposed in the preceding section shall, when recovered, be paid by the Attorney to the Corporation to the Treasurer of the Fire Department of the city of New York, for the use and benefit of the Widows' and Orphans' Fund of said Fire Department.

Sec. 100. It shall be the duty of the Building Inspectors of the city of New York to examine all violations of the foregoing sections in relation to hoistways, and to give, or cause to be given, a notice in writing, signed by at least one of them, to the owner or owners, occupant or occupants, or by leaving such notice with any person of suitable age on the premises, requiring cause of violations to be removed within ten days after service of such notice; if said violation is not removed, to report the same in writing to the Corporation Attorney.

Sec. 101. It shall be lawful for the Fire Department of the city of New York, and for the respective companies thereof, or persons duly authorized by them, to receive, sue for, and recover, in the name of the Mayor, Aldermen, and Commonalty of the city of New York, all the fines,

penalties, and forfeitures hereby imposed and appropriated for the respective uses as aforesaid.

Sec. 102. All ordinances, or parts of ordinances heretofore existing in relation to the Fire Department, are hereby repealed and rendered null and void, and of no force or effect whatever.

Sec. 103. This ordinance shall take effect immediately.

